IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 4460 of 1999

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BADARSINH FATEHSINH DABHI - Petitioner(s)

Versus

STATE OF GUJARAT & 3 - Respondent(s)

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Appearance :

MR KV SHELAT for Petitioner(s) : 1,
NOTICE SERVED BY DS for Respondent(s) : 1 - 4.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 13/01/2006

ORAL JUDGMENT

By way of this petition under Article 226/227 of the Constitution of India, the petitioner has challenged the legality and validity of the order passed by the revisional authority refusing to grant stay/vacating the interim relief during pendency of revision application by the respondent No.4, i.e.,

Secretary, Department of Food and Civil Supplies.

2. Even while admitting the present Special Civil Application, this Court also did not grant any interim relief, meaning thereby the order passed by the revisional authority in the stay application was not stayed and has remained in operation. This is a petition of 1999 and by now the revision application must have been decided and disposed of by the revisional authority. However, if the revision application is not decided and disposed of by the respondent No.4 by now, the respondent No.4 is directed to decide and dispose of the same in accordance with law and on merits as early as possible preferably within the period of six months from the date of receipt of this order. Rule is made absolute to the above extent with no order as to costs.

[M.R. Shah, J.]

RMR.